

Precedent  
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Patent

Attorney's Docket No. 033136-176

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/363,678 filed on July 30, 1999, for INHIBITION OF GRAFT VERSUS HOST DISEASE, by the following named inventor(s):

- (a) Full Name David Elliott Spaner
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ The entire disclosure of the prior application from which a copy of the corrected oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☒ Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.

1. ☒ Enclosed is a copy of the prior Application No. 09/363,678 as originally filed on July 30, 1999, including copies of the specification, claims, drawings as filed and the corrected executed oath or declaration as submitted on May 11, 2001.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ Small entity status is hereby claimed.

4. ☒ The filing fee is calculated below:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$710.00 (101)
Total Claims	16	MINUS 20 =	-0-	× \$18.00 (103) =	-0-
Independent Claims	3	MINUS 3 =	-0-	× \$80.00 (102) =	-0-
If multiple dependent claims are presented, add \$270.00 (104)					-0-
Total Application Fee					\$710.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$355.00
Add Assignment Recording Fee of \$_ if Assignment document is enclosed					-0-
TOTAL APPLICATION FEE DUE					\$355.00

5. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 355.00 is enclosed for the fee due.
7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.
8. ☒ Cancel in this application original claims 15-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Formal drawings are enclosed.
10. ☐ Priority of Application No. \_ filed on \_ in \_ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed.
- ☐ was filed on \_ in prior Application No. \_, filed on \_, and acknowledged by the Examiner on \_ in Paper No. \_.
- ☐ has not yet been filed.

11 [x] Please amend the specification by inserting before the first line the sentence:

--This application is a [ ] continuation [x] divisional of Application  
No. 09/363,678, filed on July 30, 1999--.

12. [ ] A preliminary amendment is enclosed.
13. [x] An Information Disclosure Statement is enclosed.
14. [ ] A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
15. [x] Also enclosed return postcard (x2).
16. [x] The power of attorney in the prior application is to Leslie J. Boley, Reg. No. 41,490, et al.
- a. [x] The power appears in the original papers in the prior application.
  - b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. [ ] Recognize as Associate Attorney   .
  - d. [x] Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Gerald F. Swiss, Esq.  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Date: May 11, 2001

By: Leslie J. Boley  
Registration No. 41,490

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

[ ] inventor(s)  
[ ] assignee of complete interest  
[x] attorney or agent of record  
[ ] filed under 37 C.F.R. § 1.34(a)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	Attention: <b>DRAFTING BRANCH</b>
	)	
David E. Spaner	)	Group Art Unit: Unassigned
	)	
Application No.: New (Divisional Application	)	Examiner: Unassigned
of U.S. Serial No. 09/363,678)	)	
	)	
Filed: Herewith	)	
	)	
For: INHIBITION OF GRAFT VERSUS	)	
HOST DISEASE	)	

**SUBMISSION OF FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

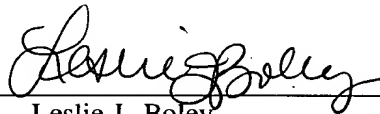
**ATTN: OFFICIAL DRAFTSMAN**

Sir:

Enclosed please find 2 sheet(s) of formal drawings for review by the Patent and Trademark Office in connection with the above-noted patent application. Should the enclosed drawings require changes; it is respectfully requested that the Patent and Trademark Office notify the undersigned of same.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Leslie J. Boley  
Registration No. 41,490

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Alexandria, Virginia 22313-1404  
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Date: May 11, 2001